

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Election of Claims

Applicant hereby confirms that Group 1, including claims 1-13, 18-22, and 29-30, has been elected in response to the restriction requirement issued by the Examiner on July 21, 2005, via a telephone conversation with Liang, T. Chyau.

Disposition of Claims

Claims 1-13, 18-22, and 29-30 are currently pending in this application. Claims 1 and 18 are independent. The remaining claims depend, directly or indirectly, on claims 1 and 18.

Objections

The Specification has been objected to by the Examiner for failing to include appropriate section headings. The Specification has been amended by this reply to include appropriate section headings. Thus, withdrawal of this objection is respectfully requested.

Abstract

An abstract of the disclosure is provided on a separate sheet of paper in accordance with 37 C.F.R. 1.77(b).

Drawings

Applicant respectfully requests the Examiner to accept the drawings filed on January 4, 2002.

Rejections under 35 U.S.C. § 102

Claims 1-11 and 18-20 stand rejected under 35 U.S.C 102(e) as being anticipated by U.S. Patent No. 5,983,273 (“White”). To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

The claimed invention relates to a method for providing access to the internet to a receiver/decoder that is *not IP enabled*. Accordingly, the independent claims have been amended to recite, in part, “wherein the receiver/decoder is not IP enabled.” In order to provide access to the internet to such a receiver/decoder, an identifier for access to broadcast services is used to authenticate the communication between the receiver/decoder and a remote server. Particularly, those skilled in the art know and appreciate that a broadcast identifier is typically used in one direction, *i.e.*, to convey broadcast information from the broadcaster to the receiver/decoder. As such, it is against the generally accepted teachings in this particular field of technology to use the broadcast identifier to authenticate communication between the receiver/decoder and the remote server in order to provide access for the decoder to a network, as it is used in the present invention. Thus, the broadcast identifier is used to solve the technical problem of providing the decoder access to a network.

In contrast to the claimed invention, White relates to providing physical security for a user account. In White, an internet terminal is coupled to a service system. The internal terminal detects a smart card, which has on it identification information used to locate configuration information associated with a particular user of the server system. (*see* White, Abstract). The configuration information in turn allows the internet terminal to be customized based on user preferences.

In order to anticipate a claim, the prior art reference must teach or suggest all the claim limitations either explicitly or impliedly. White fails to teach or suggest all the limitations of the independent claims and, thus, cannot be used to anticipate the claims. Specifically, White fails to teach or suggest the following limitations:

(i) White fails to disclose or suggest an *identifier for access to broadcast services* configured to authenticate communication between the receiver/decoder and the remote server so as to provide access for the receiver/decoder to a network. The Examiner equates the identification information stored on the smartcard of White with the broadcast identifier of the claimed invention. However, the identification information disclosed in White is used only to increase security for the connection between the internet terminal and the server system. In other words, the identification information of White is used only to uniquely identify the smartcard associated with a user so that the configuration information for that particular user can be obtained by the server system. In fact, White fails to disclose or suggest any broadcast at all, and therefore cannot possibly disclose an identifier for access to broadcast services. This is further evidence by the fact that Figures 2 and 3 of White reveal that the only interfaces the WebTV disclosed in White has are a remote control interface (24), a smartcard interface (8), a phone modem (27) and the integrated services digital network (ISDN) modem (30). The WebTV of White does *not* have an interface for broadcast services (*see* White, col. 3, ll. 62-67), and therefore, an identifier based on access to broadcast services would be unnecessary in White.

(ii) White fails to disclose or suggest a non-IP enabled receiver/decoder. The Examiner equates the receiver/decoder of the claimed invention with the WebTV of White. Clearly, the WebTV in White is IP enabled because the WebTV can communicate with a network (*e.g.*, the Internet), via phone modems, without having to convert the data output from the WebTV into

data compliant with the network protocols of the Internet. Whereas in the present invention, because the receiver/decoder is non-IP enabled, data output from the receiver/decoder must be converted to data compliant with the Internet protocols using a gateway intermediate the receiver/decoder and the remote server (*see Specification, pp. 3, ll. 17-28*).

In view of the above, it is clear that White fails to disclose each and every limitation recited in independent claims 1 and 18. Thus, independent claims 1 and 18 are patentable over White. Further, dependent claims 2-11 and 19-20 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 12-13, 21-22, and 29-30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over White and further in view of U.S. Patent No. 6,301,661 (“Shambroom”). This rejection is respectfully traversed.

As described above, White fails to disclose or suggest each and every limitation of the independent claims of the present invention. Further, Shambroom fails to supply that which White lacks. This is evidenced by the fact that the Examiner relies on Shambroom to disclose that data is converted into data compliant with the network protocols by a gateway intermediate between the receiver/decoder and the remote server. However, Shambroom fails to disclose or suggest an identifier based on access to broadcast services. Further, Shambroom fails to disclose or suggest a non-IP enabled receiver/decoder. Rather, Shambroom discloses a client, a server, and a gateway, where the gateway of Shambroom is configured to receive encoded client-authenticating information to dynamically create parameter values (*See Shambroom, col. 2, ll. 37-42*). In fact, the gateway of Shambroom is not used to convert data into IP-compliant data.

Rather, the gateway of Shambroom is simply for providing the client with the dynamically created parameters values so that the client can execute downloadable executable content using the parameter values (*See* Shambroom, col. 2, ll. 44-46).

In view of the above, it is clear that independent claims 1 and 18 are patentable over White and Shambroom, whether considered separately or in combination. Dependent claims 12, 13, 21, 22, 29, and 30 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

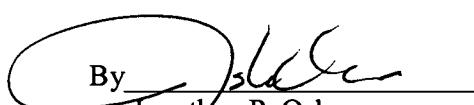
Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 11345.042001).

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Respectfully submitted,

By



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